

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

FILED
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CLERK OF DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

UNITED STATES OF AMERICA

Plaintiff

-VS-

RICHARD HUMPHREY

Defendant

:
:
: CASE NO. 1:09cr384-01
:
:
:

: ORDER ACCEPTING PLEA AGREEMENT
: AND JUDGMENT AND NOTICE OF
: HEARING
:

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge William H. Baughman, Jr. regarding the arraignment, plea hearing and plea agreement of Richard Humphrey which was referred to the Magistrate Judge with the consent of the parties.

On 31 August 2009, the government filed a one-count information against Richard Humphrey for infringement of a copyright in violation of 17 U.S.C. § 506(a)(1)(C) and 18 U.S.C. § 2319(d)(2) and (2). On 21 September, a hearing was held before Magistrate Judge Baughman in which Richard Humphrey was arraigned, entered a plea of guilty and executed a waiver of indictment. Magistrate Judge Baughman received Richard Humphrey's plea of guilty and issued a Report and

Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Richard Humphrey is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Richard Humphrey is adjudged guilty of Count One in violation of 17 U.S.C. § 506(a)(1)(C) and 18 U.S.C. § 2319(d)(2) and (2).

Sentencing will be:

8 December 2009 at 10:30 a .m.

**Courtroom 19-A
19th Floor, United States District Court
801 West Superior Avenue
Cleveland, Ohio 44113**

IT IS SO ORDERED.

Dated:

20 October 2009


UNITED STATES DISTRICT JUDGE